

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BENJAMIN TORRES and CARMEN Y. VASQUEZ,

Plaintiff,

-v-

BALDE THIERNO MAMADOU, SARGEANT
LOGISTICS, INC., VLAD TRANSPORTATION, INC.,
NEW ENGLAND EXPRESS INC. AND JOHN DOES 1-
10 (said names being fictitious and unknown)
and/or ABC CORPS. 1-10 (said names being
fictitious and unknown),

Defendants.

CIVIL ACTION NO.: 19 Civ. 6973 (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge:

Plaintiff's second request (ECF No. 111) to adjourn the trial, currently scheduled for October 11, 2022, is GRANTED. Plaintiff's counsel represents that Plaintiff is working to expeditiously schedule a surgery (the "Surgery") allegedly related to the collision that serves as the basis for this lawsuit. (Id. at 1). Accordingly, the Court orders as follows:

1. The trial is ADJOURNED to **Tuesday, December 13, 2022 at 9:30 am**. Given that the Court has already adjourned the trial date in this three-year-old case (see ECF No. 94), the Court is unlikely to grant any further extension absent extraordinary circumstances.
2. The final pre-trial conference scheduled for September 28, 2022 is ADJOURNED to **Thursday, December 1, 2022 at 11:00 am** in person in Courtroom 18A in the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York. The parties have already submitted their proposed joint pre-trial order (ECF No. 102) and trial

exhibits, and that Plaintiff's motion in limine (ECF No. 110) is pending before the Court and will be decided in due course. The Court will advise the parties of any other required pre-trial submissions.

3. Plaintiff must file a letter advising the Court as to the date of the Surgery **within three days** of when it is scheduled.
4. Within seven (7) days of the Surgery, Plaintiff must provide Defendants with all necessary medical authorizations and records relating to the Surgery. Defendants' request for a limited deposition and physical examination of Plaintiff based on the Surgery is DENIED WITHOUT PREJUDICE to renewal after the Surgery.
5. At the parties' request, the Court will refer this matter to the Honorable Jennifer E. Willis for a settlement conference to take place before the trial date. The parties shall contact Judge Willis' Chambers no later than September 28, 2022 to schedule the settlement conference.

The Clerk of Court is respectfully directed to close ECF No. 111.

Dated: New York, New York
September 23, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge